



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 5709-98

14 April 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Case Summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy filed enclosure (1) with this Board requesting that her record be corrected by changing the reenlistment code assigned on 2 May 1998.

2. The Board, consisting of Mr. Pfeiffer, Mr. Bishop and Ms. Nofziger, reviewed Petitioner's allegations of error and injustice on 11 April 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy for four years on 3 May 1994 at age 18. The record shows that she received nonjudicial punishment on 21 July 1994 and 17 March 1995. Her offenses were an unspecified period of unauthorized absence, disobedience and false official statement. She then served without any further disciplinary infractions.

d. The record shows that on 22 May 1997 she reported aboard the USS SACRAMENTO (AOE 1). In the performance evaluation for the period 16 July 1997 to 15 January 1998 she was assigned a mark of 3.0 (meets standards) in every category and was recommended for advancement and retention. She was released from active duty on 2 May 1998 with her service characterized as

honorable. On separation, she was serving as an SN (E-3) and had never been advanced to petty officer third class. At that time, she was assigned an RE-4 reenlistment code.

e. Petitioner's record is incomplete and the history of her assignments and the quality of her service prior to reporting to the USS SACRAMENTO is unknown. She states that the evaluation ending 15 January 1998 is the last evaluation she received while in the Navy because she took several months of terminal leave prior to her release from active duty on 2 May 1998.

f. The Board is aware that regulations allow for the assignment of an RE-3R or an RE-4 reenlistment code to those individuals who have advanced to E-3 and are recommended for advancement to E-4, but have not been advanced to E-4 during their first enlistment. An RE-3R means that an individual is recommended for a probationary reenlistment during which they must advance to petty officer.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes that Petitioner served in a completely satisfactory manner aboard the USS SACRAMENTO and was recommended for advancement and retention in the last performance evaluation. Since she was recommended for advancement and retention, the Board concludes that there is no basis for the assignment of the restrictive RE-4 reenlistment code and it should be changed to RE-3R.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 2 May 1998 she was assigned an RE-3R reenlistment code vice the RE-4 reenlistment code now of record.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. It is certified that a quorum was present at the Board's

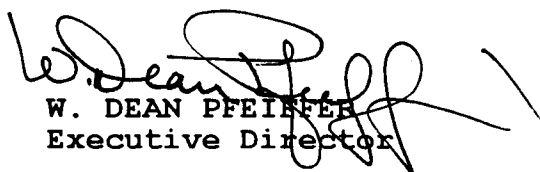
review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director